

IN THE UNITED STATES DISTRICT COURT
THE MIDDLE DISTRICT OF ALABAMA

2006 FEB 23 A 11:07

DEBRA P. HACKETT, CLK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

Larry Carl Dixon #138238

Full name and prison number
of plaintiff(s)

v.

Warden Willie Thomas;

Comm. Donal Campbell;

Ala. Dept. of Corrections;

Prison Health Services, Inc. et al.

Name of person (s) who violated
your constitutional rights.
(List the names of all the
persons.)

CIVIL ACTION NO. 2:06cv164-WKW
(To be supplied by Clerk of
U.S. District Court)

I. PREVIOUS LAWSUITS

- A. Have you begun other lawsuits in state or federal court dealing with the same or similar facts involved in this action? YES () NO (xxx)
- B. Have you begun other lawsuits in state or federal court relating to your imprisonment? YES () NO (xxx)
- C. If your answer to A or B is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit:

Plaintiff(s) "N/A"

Defendant(s) "N/A"

2. Court (if federal court, name the district; if state court, name the county) "N/A"
3. Docket number "N/A"
4. Name of judge to whom case was assigned "N/A"
5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?) "N/A"
6. Approximate date of filing lawsuit "N/A"
7. Approximate date of disposition "N/A"

II. PLACE OF PRESENT CONFINEMENT Elmore Correctional Facility
P.O. Box 8, Elmore, Alabama 36025

PLACE OF INSTITUTION WHERE INCIDENT OCCURRED Elmore Corr-
rectional Facility, P.O. Box 8, Elmore, Alabama 36025

III. NAME AND ADDRESS OF INDIVIDUAL(S) YOU ALLEGE VIOLATED YOUR CONSTITUTIONAL RIGHTS.

NAME

ADDRESS

- 1.) Ward, Willie Thomas, P.O. Box 8, E.C.F., Elmore, Al. 36025
- 2.) Comm. Donal Campbell, Al. D.O.C., 301 South Ripley St. P.O. Box 301501, Mont. Al. 36130
- 3.) Prison Health Services, Inc. S.C.F., P.O. Box 56, Elmore, Al. 36025
4. _____
5. _____
6. _____

IV. THE DATE UPON WHICH SAID VIOLATION OCCURRED 8-03-05

August 3rd 2005

V. STATE BRIEFLY THE GROUNDS ON WHICH YOU BASE YOUR ALLEGATION THAT YOUR CONSTITUTIONAL RIGHTS ARE BEING VIOLATED:

GROUND ONE: The defendants have violated this plaintiff's 8th amendment right to be free from cruel and unusual punishment.

SUPPORTING FACTS: The defendants callous disregard for the safety of the inmates in their custody has led to this Plaintiff losing the tip of his finger. The windows at the Elmore Correctional facility are in such disrepair that they are the equal to a guillotine. There are no safety measures or devices in place to ensure that the window does not fall on one's hands. Without fault on this plaintiff, He has lost approximately ($\frac{1}{2}$) one half inch of his finger. The disregard for the safety of inmates and their appendages violate the 8th amendment to the United States Constitution.

GROUND TWO: The defendants have shown a "Deliberate Indifference" to the safety of the inmates in their custody.

SUPPORTING FACTS: This plaintiff has lost the tip of his finger due to the "Deliberate Indifference" of the defendants. They have known or should have known that the windows in the living area of Elmore Dorms are in disrepair, Have no safety measures or devices to stop them from slamming down on fingers/hands, And have done just that prior to, And since this plaintiff lost his fingertip. The defendant's in not repairing, Or replacing said windows, Even after injury to several inmates, Shows a "Deliberate Indifference" to the safety of the inmates in their custody, In violation of the 8th Amendment to the United States Constitution.

VI. STATE BRIEFLY EXACTLY WHAT YOU WANT THE COURT TO DO FOR YOU. MAKE NO LEGAL ARGUMENT. CITE NO CASES OR STATUTES.

- 1.) **'compensatory Damages'**, Plaintiff seeks \$100.000.00 dollars
for the loss of this plaintiff's fingertip, And the pain and
suffering caused by the injury.
- 2.) **'punitive Damages'**, Plaintiff seeks an additional \$100.000.00
dollars for the defendants reckless and callous disregard for
for the rights of this plaintiff.

Signature of plaintiff(s) **Larry Carl Dixon**

I declare under penalty of perjury that the foregoing is true
and correct.

EXECUTED on 2-17-06
(Date)

Signature of plaintiff(s)

Larry C. Dixon